

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

**NRP HOLDINGS LLC and
NRP PROPERTIES LLC,**

Plaintiffs,

v.

STIPULATION

**CITY OF BUFFALO, BYRON W. BROWN, STEVEN
M. CASEY, DEMONE A. SMITH, RICHARD A.
STENHOUSE, BUFFALO JEREMIAH PARTNERSHIP
FOR COMMUNITY DEVELOPMENT, INC., CITY OF
BUFFALO URBAN RENEWAL AGENCY, JOHN DOES 1-
10, and JOHN DOE COMPANIES 1-5,**

Civ. No 11-CV-472(WMS)

Defendants.

WHEREAS, Defendants City of Buffalo, Byron W. Brown, Steven M. Casey, and Demone A. Smith ("City Defendants") filed a motion to compel discovery from NRP Holdings LLC and NRP Properties LLC ("Plaintiffs"); and

WHEREAS, the City Defendants' motion consisted of a Notice of Motion, Declaration of Randall D. White, Esq. dated July 17, 2014 (with Exhibits "A" - "R"), and Memorandum of Law; and

WHEREAS, the response to the motion filed by the Plaintiffs consisted of the Declaration of Thomas S. Lane dated August 15, 2015 (with Exhibit "A"), and Memorandum of Law; and

WHEREAS, the City Defendants' reply consisted of the Reply Memorandum of Law in Support of Motion to Compel dated August 28, 2014; and

WHEREAS, the Plaintiffs served letters dated September 30, 2014, and October 3, 2014 concerning matters raised in the City Defendants' motion; and

WHEREAS, all parties having appeared on the return date of September 23, 2014; and

WHEREAS, in order to resolve the issues presented in the City Defendants' motion to compel, it is hereby

STIPULATED AND AGREED, that

1. The City Defendants' motion to compel is withdrawn without prejudice to renew in consideration of the stipulations noted below; and
2. On or before October 31, 2014:
 - a. Plaintiffs shall produce all non-privileged documents concerning the assignment requested in Defendants' First Request for Production of Documents and Things, Request 11; and
 - b. Plaintiffs shall provide a privilege log listing all documents responsive to Request 11 which are being withheld as privileged; and
3. On or before October 24, 2014:
 - a. Plaintiffs shall serve supplemental responses to the City Defendants' First Set of Interrogatories, interrogatories 10(c), 12(b), 13(a)-(d); 14(a)-(d); 15(a); 17(a); and 18 as set forth in Plaintiffs' counsel's letters dated September 30, 2014 and October 3, 2014.

s/Nelson Perel

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s/Randall White

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s/Richard T. Sullivan

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SO ORDERED.

Dated: _____, 2014
Buffalo, New York

LESLIE G. FOSCHIO
UNITED STATES MAGISTRATE JUDGE